

Message Text

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ACTION EUR-12

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AMEMBASSY LONDON
AMEMBASSY MOSCOW
USMISSION NATO
AMEMBASSY PARIS
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C O N F I D E N T I A L USBERLIN 2827

E O 11652: GDS
TAGS: PGOV GE WB US UR UK FR
SUBJ: GDR STATEMENT ON ACCESSION TO CONVENTION RELATING TO THE
UNIFICATION OF CERTAIN RULES CONCERNING COLLISIONS IN
INLAND NAVIGATION

REFS: A) USBERLIN 2495; B) BONN 19198

1. SUMMARY: ALLIED MISSIONS HAVE AGREED TO RECOMMEND TO
BONN GROUP DRAFT ANSWER TO GDR WATERWAYS STATEMENT. AS
ENVISAGED REF A, DRAFT ANSWER IS INTENDED TO REBUT GDR
CLAIM OF COMPETENCE FOR WEST BERLIN WATERWAYS WHILE
AVOIDING DETAILED DISCUSSION THAT WOULD GIVE APPEARANCE
ALLIES WERE ENTERING INTO SUBSTANTIVE DIALOGUE WITH GDR
ON A FOUR-POWER MATTER. END SUMMARY.

2. FOLLOWING IS TEXT OF DRAFT RESPONSE AGREED BY ALLIED
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MISSIONS DECEMBER 28:

BEGIN TEXT: THE DELEGATIONS OF FRANCE, THE UNITED KING-
DOM AND THE UNITED STATES REFER TO THE NOTE OF THE GERMAN
DEMOCRATIC REPUBLIC (FULL REFERENCE TO BE SUPPLIED BY
UN MISSIONS) AND WISH TO POINT OUT THE FOLLOWING:

WHEN AUTHORIZING THE EXTENSION OF THIS CONVENTION TO THE WESTERN SECTORS OF BERLIN, THE AUTHORITIES OF THE THREE POWERS, ACTING IN THE EXERCISE OF THEIR SUPREME AUTHORITY, ENSURED IN ACCORDANCE WITH ESTABLISHED PROCEDURES THAT THIS CONVENTION IS APPLIED IN THE WESTERN SECTORS OF BERLIN IN SUCH A WAY AS NOT TO AFFECT MATTERS OF SECURITY AND STATUS. ACCORDINGLY, THE APPLICATION OF THIS CONVENTION TO THE WESTERN SECTORS OF BERLIN CONTINUES IN FULL FORCE AND EFFECT.

THE CLAIM OF THE GERMAN DEMOCRATIC REPUBLIC THAT IT IS COMPETENT FOR THE WATERWAYS IN THE WESTERN SECTORS OF BERLIN IS WITHOUT FOUNDATION.

THE GERMAN DEMOCRATIC REPUBLIC IS NOT A PARTY TO THE QUADRIPARTITE AGREEMENT WHICH WAS CONCLUDED IN BERLIN ON 3 SEPTEMBER 1971 BY THE GOVERNMENTS OF THE FRENCH REPUBLIC, THE UNION OF SOVIET SOCIALIST REPUBLICS, THE UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND, AND THE UNITED STATES OF AMERICA, OR TO THE OTHER WAR-TIME AND POST-WAR FOUR POWER AGREEMENTS TO WHICH IT MAKES REFERENCE IN ITS NOTE. IT IS NOT, THEREFORE, COMPETENT TO COMMENT AUTHORITATIVELY ON THEIR PROVISIONS.

THE GOVERNMENTS OF FRANCE, THE UNITED KINGDOM AND THE UNITED STATES DO NOT CONSIDER IT NECESSARY TO RESPOND TO ANY FURTHER COMMUNICATIONS OF A SIMILAR CONFIDENTIAL

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NATURE BY STATES WHICH ARE NOT SIGNATORIES TO THE QUADRIPARTITE AGREEMENT OR PARTIES TO THE OTHER RELEVANT FOUR POWER AGREEMENTS. THIS SHOULD NOT BE TAKEN TO IMPLY ANY CHANGE IN THE POSITION OF THOSE GOVERNMENTS IN THIS MATTER.

(COMPLIMENTARY CLOSE TO BE SUPPLIED BY UN MISSIONS)
END TEXT.

3. DELAY IN SUBMITTING DRAFT RESPONSE WAS OCCASIONED BY FRENCH CONFUSION OF GDR STATEMENT IN QUESTION WITH BLANDER GDR STATEMENT IN CONNECTION WITH ACCESSION TO SIMILAR SOUNDING BUT INDEPENDENT AGREEMENT ON THE CALIBRATION OF INLAND SHIPPING. WE UNDERSTAND THAT THIS LATTER STATEMENT HAS ALREADY BEEN ANSWERED BY ALLIES. MISSION RECOMMENDS THAT MORE CONTENTIOUS GDR STATEMENT ON COLLISIONS CONVENTION ALSO BE COUNTERED QUICKLY. DAVIS

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